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Via ECF

The Honorable Sidney H. Stein
 United States District Court for the
 Southern District of New York
 500 Pearl Street
 New York, NY 10007-1312

Re: Sonterra Capital Master Fund Ltd. v. Credit Suisse Group AG et al., 15-cv-0871 (SHS)

Dear Judge Stein:

We represent Plaintiffs.

On August 18, 2015, seven Defendants (BlueCrest Capital Management, LLP, Credit Suisse Group AG, Credit Suisse AG, Deutsche Bank AG, DB Group Services UK Limited, The Royal Bank of Scotland, plc, and UBS AG) (collectively, "PJ Defendants") moved to dismiss the Complaint for lack of personal jurisdiction. ECF Nos. 63, 74. In support, the PJ Defendants filed 7 employee declarations and two briefs, many of which contain facts and arguments that either directly contradict the allegations of the First Amended Complaint ("FAC") or omit facts relevant to their United States contacts related to the wrongdoing alleged.

We provide three illustrative examples:

Deutsche Bank offers a declaration of Caroline Ifrah wherein she discusses a February 10, 2005 electronic chat cited in the FAC (¶ 40) evidencing Deutsche Bank's complicity in a conspiracy with defendant BlueCrest Capital to rig Swiss Franc LIBOR. Ms. Ifrah avers that the Deutsche Bank colluder was located overseas. See ECF No. 69 at ¶ 2.¹ The Complaint alleges upon information and belief that the BlueCrest request was sent via electronic communication (and, thus U.S. domestic wires) to a Deutsche Bank Swiss franc LIBOR-based derivatives trader and/or Swiss franc LIBOR submitter located in New York. FAC ¶ 40.

¹ Ordinarily such a statement of fact would be creditable in the abstract. However, there is significant reason to doubt Deutsche Bank's representations of fact as complete and accurate as they relate to its LIBOR conduct given that its senior managers lied to the United Kingdom Financial Conduct Authority in order to hide the extent of its wrongdoing, FAC, ¶¶ 11, 169-78, and it recently disclosed to regulators that it had lost chat messages used by some of its traders and LIBOR submitters due to software problems. See Christopher M. Matthews, Jenny Strasburg & Eyk Henning, *Deutsche Bank Didn't Archive Chats Used by Some Employees Tied to Libor Probe*, Wall St. J. (July 30, 2015).

Sept 22, 2015
Plaintiffs' request for jurisdictional discovery is denied. The parties have agreed to address to the court by filing schedule and the jurisdictional issues will be decided on a pre-discovery basis.
So ordered.
Sidney H. Stein
U.S.D.C.

MEMO ENDORSED